

AGENDA



Thursday, September 27, 2007

**Austin Water Utility
RECOMMENDATION FOR COUNCIL ACTION**

Item No. 6

Subject: Approve an ordinance amending Chapter 6-4 of the City Code and repealing Parts 4, 5, 6, and 8 of Ordinance No. 20070809-002 relating to water use management.

Amount and Source of Funding: No fiscal impact.

Fiscal Note: A fiscal note is not required.

For More Information: Dan Strub, 974-2559; Denise Avery, 972-0104

Boards and Commission Action: Reviewed by the Resource Management Commission. To be reviewed by the Water and Wastewater Commission on September 26, 2007.

Prior Council Action: Ordinance No. 20070809-002 amended Chapter 6-4 to adopt recommendations of the Water Conservation Task Force.

On August 9, 2007, City Council amended Chapter 6-4 of the City Code adopting the recommendations of the Water Conservation Task force and required the following:

- A mandatory year round watering schedule for commercial and multifamily properties;
- A mandatory watering schedule for single family properties from May 1 to September 30 of every year;
- A year round prohibition on watering by automatic irrigation systems between the hours of 10 AM and 7 PM;
- A prohibition on outdoor watering between 10 AM and 7 PM from May 1 to September 30, except with a hand held hose or bucket.

Since those amendments were passed, citizen feedback has resulted in staff recommending the following types of variances from the watering restrictions. Also, some variances already existing in the previous ordinance were not carried over into the new ordinance.

Consequently, staff recommends the following amendments:

- Allow large properties that are unable to be watered entirely in a single day to be divided and assigned different watering days for each portion, with no portion able to water more than twice a week.
- Allow new landscapes to be watered during the day and under an increased schedule to allow the landscape to become established. The schedule will be set in the ordinance, and tracked through the variance application process.
- Allow certain sports fields to apply water for dust suppression before and between games.
- Allow sports fields to water on alternate watering days to accommodate sporting events, but no more than twice a week.

The large property and new landscapes variances already existed under the code for Stage 2 restrictions, the initial stage in which watering days became mandatory. Under the August 9 amendments, the

watering days become mandatory year round for commercial and multifamily properties. So the variance procedures are necessary under the permanent water use restrictions provision of the code.

Additionally, the penalties portion of the ordinance is amended to reflect a change in misdemeanor offenses as follows:

- The current fine of not to exceed \$2,000 remains in place for offenses involving criminal negligence;
- A fine not to exceed \$500 is added for cases not involving criminal negligence.